

**Opening Statement of the Honorable Fred Upton**  
**Committee on Energy and Commerce**  
**Hearing on “PPACA Implementation Failures: Answers from HHS”**  
**October 30, 2013**

*(As Prepared for Delivery)*

The Energy and Commerce Committee welcomes the president's point person on health care, Secretary Sebelius, as part of our continuing oversight of the health care law. We look forward to a thoughtful conversation on a number of issues including transparency and fairness.

Over the months leading up to the October 1 launch, the secretary and her colleagues at HHS repeatedly looked us in the eye and testified that everything was on track. Despite the numerous red flags and lack of testing, they assured us that all systems were a go.

But something happened along the way – either those officials did not know how bad the situation was, or they did not disclose it. Sadly, here we are, now five weeks into enrollment, and the news seems to get worse by the day. Healthcare.gov was down last night at 5:00 p.m. It was also down on Monday, and it crashed last weekend. And even this morning when we attempted to view the site before this hearing, we were hit with an error message.

But this is more than just a website problem – that was supposed to be the easy part. Americans were assured their experience would be similar to other online transactions like purchasing a flight or ordering a pizza and that their sensitive personal information would be kept secure. But after more than three years to prepare, malfunctions have become the norm and the administration has pivoted from saying they are “on track” to setting a new target date of November 30. And for those few Americans who have successfully applied, will the website glitches become provider glitches on January 1?

Americans are scared and frustrated, and this situation should rise above politics. Many folks at home watching us today have spent hours or even days trying to sign up. They continue to take time away from work or loved ones but have made little progress, and soon they may worry about being on the wrong side of their government, facing potential penalties. I recently spoke to a woman from Buchanan, Michigan, who was excited to sign up, but has since become disillusioned after spending hours on the phone and website with little success. There are also millions of Americans coast to coast who no doubt believed the president's repeated promise that if they liked their plan, they'd be able to keep it “no matter what.” They are now receiving termination notices, and for those who lose the coverage they like, they may also be losing faith in their government.

Today's hearing is about fairness for the American people who are losing their coverage or seeing their premiums skyrocket as high as 400 percent. This hearing is also about transparency. While the administration continues to boast the number of Americans that have “applied,” they intentionally withhold precise enrollment numbers. Why? These numbers are critical to fully understanding the status and gauging progress of implementation. Lead contractor CGI testified last week that they had the data, but needed the administration's permission to release it. We asked the Secretary on October 8 for those figures, but still have not received a response. We hope to get one today.

The American people deserve answers as well as the peace of mind that promises will be kept. The secretary has an opportunity today to embrace transparency and start restoring the public's faith in the administration and government.

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